

Message

From: Mann, Teresa [Mann.Teresa@epa.gov]
Sent: 5/6/2019 5:45:05 PM
To: Adkins, William D CIV [William.D.Adkins2@uscg.mil]
CC: Spurlin, Steve [Spurlin.Steve@epa.gov]; miguel.l.bella@uscg.mil
Subject: RE: Colonial/Nashville airport E19413

Hi William- I am in back to back meetings today and not sure when I will get a break. I will try to call this afternoon, but if that does not work I can speak with you tomorrow any time after 1:30 pm. Just let me know what works for you.

Thanks
Teresa

From: Adkins, William D CIV <William.D.Adkins2@uscg.mil>
Sent: Monday, May 06, 2019 1:33 PM
To: Mann, Teresa <Mann.Teresa@epa.gov>
Cc: Spurlin, Steve <Spurlin.Steve@epa.gov>; miguel.l.bella@uscg.mil
Subject: RE: Colonial/Nashville airport E19413

Hi Teresa,
I am the NPFC Case Officer for subject case. My boss, Miguel Bella, had recommended that NPFC personnel sit in on this phone conference. I'm not really sure of the issues, but can have ca claims rep, as well as, NPFC Attorney sit in if it would be helpful. Could you please give me a call, I would like to discuss the level of NPFC participation and issues that could come up. Thanks

William D. Adkins, PMP
Case Officer, Team II - SE Region
USCG National Pollution Funds Center
US Coast Guard Stop 7605
2703 Martin Luther King Jr Ave SE
Washington DC 20593-7605
Phone: 202-795-6079
Fax: 202-372-8357

From: Spurlin, Steve <Spurlin.Steve@epa.gov>
Sent: Thursday, May 2, 2019 6:16 PM
To: Adkins, William D CIV <William.D.Adkins2@uscg.mil>; Bella, Miguel L CIV <Miguel.L.Bella@uscg.mil>; Webster, James <Webster.James@epa.gov>; Mann, Teresa <Mann.Teresa@epa.gov>
Subject: [Non-DoD Source] Colonial/Nashville airport E19413

Enforcement Confidential-Do Not Release

Hello,
EPA attorney Teresa Mann and myself just got off a call with Colonial attorneys. What we anticipated to be an congenial exchange of information turned into a blitz conversation from former Coast Guard person (Hayes?) regarding applicability of 300.135(d) to incident. The situation is that the TN Department of Transportation drilled through pipeline resulting in discharge to surface water. Colonial has and continues to take measures to mitigate the

release. The long term (groundwater, surface water quality, etc..) issues have been handed to the State, and I am preparing the final report/polrep. The former CG mentioned several times that the hand off requires a cooperative agreement pursuant to 300.135(d). In my review of 300.135(d)(see below) I think this refers to PRFA.

With the reality that there is likely a significant investigation/remediation work to follow, I believe Colonial is attempting to position itself in best position for claim to fund. I think they mentioned State sovereignty of TDOT.

300.135(d) The OSC's/RPM's efforts shall be coordinated with other appropriate federal,state, local, and private response agencies. OSCs/RPMs may designate capablepersons from federal, state, or local agencies to act as their on-scene representatives. State and local governments, however, are not authorized to take actions under subparts D and E of the NCP that involve expenditures of the Oil Spill Liability Trust Fund or CERCLA funds unless an appropriate contract or cooperative agreement has been established.

If available, I would like to have a call tomorrow to discuss. We committed to a follow up call with Colonial next week. Thanks

Steve Spurlin
Federal On-Scene Coordinator
U S EPA, Region 4
Ed Jones Federal Bldg, B-13
109 S. Highland Ave
Jackson, TN 38301
Spurlin.Steve@epa.gov
731 394-8996